CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA
REGULAR MEETING

SEPTEMBER 20, 2005

INVOCATION:
Sr. Pastor Steve Dastic from Vineyard Christian Church gave the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Mariscal led the pledge of allegiance.

CALL TO ORDER:
Mayor Lavagnino called the Regular Meeting of the City Council to order at 6:30 p.m.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino.

STAFF MEMBERS PRESENT
City Manager Ness, Assistant City Manager Haydon, City Attorney Trujillo, Police Chief Macagni, Director of Administrative Services Snodgrass, Director of Community Development Lindsey, Fire Chief Ortiz, Director of Recreation and Parks Posada, Director of Public Works Karp, Director of Utilities Chisam, City Engineer Sweet, and Chief Deputy City Clerk Perez.

ANNOUNCEMENTS
Mayor Lavagnino announced that last week 15 people from the New Orleans area who had been forced out of the homes by Hurricane Katrina arrived in Santa Maria. They arrived without food, clothing and without housing. They asked the City of Santa Maria for assistance. The City contacted the Red Cross, the Housing Authority, and other organizations and churches in town and were able to help these people. The City is asking that residents of Santa Maria, who are able, make donations to Pastor Earl James with the New Hope Missionary Baptist Church. If anyone has a vacant house that could be rented to these evacuees or a job to help these people, please contact the City.

Director of Recreation and Parks Posada explained that the Red Cross was currently assisting eight families who have located to Santa Maria in the last week. Those individuals are receiving basic assistance right now. The Red Cross is trying to work with other agencies such as Peoples Self Help Housing to try to find housing for the displaced families. People in the community can also help by contacting the Red Cross.

VOLUNTEER OF THE MONTH
Councilmember Patino presented a gift to Victoria McCoy, the Recreation and Parks Volunteer of the Month for September 2005, for her exemplary leadership and commitment to the youth of Santa Maria Valley as Head Coach with the Recreation and Parks Department's Summer Youth Basketball League.

CENTENNIAL COMMITTEE RECOGNITION
Mayor Lavagnino recognized and thanked the Centennial Celebration Committee members and volunteers, City liaisons, and sponsors for their many contributions in conjunction with the City's year-long Centennial Celebration. Centennial pocket watches were presented to Committee Members Kim Newman, Joyce Chrisman, Dorothy and George Benford, Alice Patino, Linda Agren, Audrey Mussell, Shirley Contreras, Lee Diaz, John Fazzone, Dawn Kamiya, Joan Wiley, Laura Susan Thomas, Abby Hogan, Mort Russell, Rose Russell, Margaret Cook, David Carey, Tom Urbanske, Phyllis Rodenberger, Steve Watts, Marti Moreno, and Richard Chenoweth. Watches were also presented to City staff members serving as liaisons to the Committee

including Mellissa Guerrero, Cindy Hoskins, Barbara Wiley, Mary Martone, Ryan Heath and Ethel Landers. Collage plaques were presented to the many Centennial Celebration sponsors including the Santa Maria Valley Chamber of Commerce, Inland Pacific Builders, Inc., Sylvester's Security Alarms Inc., People for Leisure and Youth, Inc., Mid State Bank and Trust, A. J. Diani Construction, Wells Fargo Bank, Okonite, Unocal, Santa Lucia Bank, KCOY 12/KKFX 11, Santa Maria Times, Clear Channel Radio, La Buena Television, and Santa Maria Sun.

In addition, Recreation and Parks Commission Chairperson Sister Janet Corcoran presented each with a Certificate of Appreciation from the Recreation and Parks Commission.

PROCLAMATION - 5-A-DAY MONTH

Councilmember Orach read a proclamation requested by the Foodbank of Santa Barbara County declaring the month of September 2005 as 5-A-DAY month in the City of Santa Maria, to encourage all residents to "Energize and Mobilize – Eat Fruits, Vegetables, Be Active." The proclamation was accepted by Kathy Hayes and Kelly White of the Foodbank of Santa Barbara County and Susan Klucker of Santa Barbara County Health Department. They presented each member of the City Council with a basket of fruit and vegetables from the Foodbank.

PUBLIC COMMENT

Tiffany Fife from Arrellanas Junior High School thanked Councilmember Patino for coming to the school last Friday for a ceremony which incorporated Constitution Day along with the school's Builders Club presenting the Red Cross with a check for funds that the students raised for the Hurricane Katrina Relief Fund. The Builders Club is sponsored by the Noontime Kiwanis Club. When the hurricane hit the students wanted to do something to help. The school put out a challenge to the students and staff along with the Kiwanis Club to each bring $1 to try to raise over $500 to donate. Over the course of six days, they raised over $3,000. A local business said they would match the funds raised. At the ceremony, the students were prepared to present a check of over $7,000 to the Red Cross. However, when Mr. Mike Sells, the incoming president for the Noontime Kiwanis Club and also with Heritage Oaks Bank, arrived, he brought a check for $10,141.66. In addition, one of the Builders Club members also brought a bag of money totaling over $150 for a grand total of $10,301.81 which was donated to the Red Cross.

Ken Parker, on behalf of the Santa Barbara County Red Cross, accepted the check and thanked the students for their generosity.

Angie Bolden thanked the community of Santa Maria for being so giving and helping her family get to Santa Maria after they lost their homes in New Orleans. Santa Maria is the best City.

Sister Janet Corcoran spoke about Proposition 63, the Mental Health Services Act, which would provide Santa Barbara County with $3.8 million to be used to transform the County mental health system. She said Dr. Broderick has asked for citizen input on how to spend the money, and explained how people could participate in the survey. She also talked about the Santa Maria River and levee and the discussion at the Board of Supervisors meeting and requested the City contact Supervisor Centeno and seek funding for the levee. She also requested the City write a letter to the Board and request they reinstitute the invocation at their meetings.

Hinda Beaman, Friends of the Santa Maria Library, announced that they were working very hard to raise funds to fill all the shelves in the new library. She thanked Councilmember Mariscal and the Noontime Kiwanis Club for cooking at their annual barbecue. They raised about $4,000.00 toward the new library. The Trustee Committee headed by Wayne Peterson with Councilmember Trujillo were also doing fundraising for the library. She thanked the Council for its support.

Patty Schwarzkopf, Assistant Principal at Ontiveros Elementary School, thanked the Council, Councilmember Patino, and the Public Works Department for placing a four-

way stop sign at the intersection of Western and Taylor. She presented thank you letters from the students of the school. Also, four students read their letters to the Council.

Ernest Armenta spoke about the Quail Meadows Annexation. He requested the City Council and staff prepare new standards for all development near the Santa Maria Levee and flood zone areas. He also requested a special meeting be held regarding the City's emergency disaster plan with the following individuals or companies involved: hospitals, pharmacies, fire, police, the gas company, PG&E, and FEMA. He also requested the City Council create a legislative committee.

Nicholas Andersen spoke regarding a subpoena served on Judge James B. Jennings. He talked about complaints at the Meridian Apartments.

T. J. Roy thanked the City Council and the City for the actions they have taken to help the victims of Hurricane Katrina. He thanked the Public Works Department and the Traffic Committee for their recommendation to solve a problem on the fringe of the Foxenwood Estates in Orcutt. He asked the Council to approve the no parking zone on Foxenwood Lane which was Item 3K on the Consent Agenda.

James Watson talked about a 4th Circuit Court decision regarding the Jose Vendelas case where the court ruled that people could be held without being charged with a crime.

CONSENT CALENDAR
Mayor Lavagnino pulled Items 3F, 3H and 3J for discussion. Councilmember Mariscal requested Item 3I be pulled for discussion.

Item 3H – North Blosser Road Widening Project/Call for Bids
Mayor Lavagnino stated he wanted the people to know that this item was granting approval to call for bids for the North Blosser Road Widening. It was a project that has been needed for a long time.

Item 3I – SMAT Short Range Transit Plan
Councilmember Mariscal stated the Council would be approving the Short Range Transit Plan. There is important information in the Plan. There are a number of residents who are transit dependent. He thanked Transit Manager Rye and MV Transportation. In January, SMAT would be expanding 27 percent. The City of Santa Maria pays the fuel costs for the transit system. One dollar increase per gallon in fuel costs equates to $11,000 a month in increased costs to the community. For one year that is $130,000 of increase in costs to the City to provide the transit system.

Item 3J – Limited Time Parking Zone on Oakley Avenue
City Engineer Sweet explained that the issue has to do with two towing companies that are across the street from each other on Oakley Avenue. There is currently a no parking zone in front of Four Corners Towing. The owner has requested the no parking zone be removed. City Motors Towing wants the no parking zone to remain because they use it to maneuver their trucks in and out of their facility. Today, the department received a letter from City Motors Towing who is in disagreement with the recommendation to convert the no parking zone to limited time parking. He suggested continuing the item for one month to allow staff additional time to try to negotiate a compromise.

Item 3F – Bulletproof Vest Program Funds
Ernest Armenta asked if there were some police officers who did not have bulletproof vests or vests that were not adequate.

Police Chief Macagni explained that every single officer was issued a bulletproof vest. They are replaced every five years because that is the life span the manufacture recommends. When that time frame comes up to replace some of the vests, the department applies to the State for reimbursement of part of the costs.

Councilmember Orach indicated he would be abstaining from Items 3B, the Minutes of the last meeting, and 3M, adoption of Ordinance No. 2005-11, as he was absent from the last meeting.

Consent Calendar Items A through N excluding Item J were approved with the indicated action on motion by Councilmember Mariscal, seconded by Councilmember Trujillo, and carried on the following vote:

AYES: Councilmembers Mariscal, Orach (except Items B and M), Patino, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: Councilmember Orach, Items B and M only.

A. ORDINANCES
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar are adopted by the same vote cast at the first reading unless City Council indicates otherwise.

B. MINUTES
The Minutes of the Regular City Council Meeting of September 6, 2005, were approved as submitted.

C. WARRANTS
Warrant Nos. 122503 to 122712 in the amount of $1,592,465.98 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrants No. 118336, 122214, 122495, 121716, and 122461 were cancelled.

D. PAYROLL
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads as shown on records on file in the Administrative Services Department and having been approved for payment by the Director of Administrative Services.

E. SB-90 CLAIMS CONTRACT
The one-year agreement for SB-90 State Mandate Reimbursement Claims Service with AK & Company was pulled from the agenda.

F. BULLETPROOF VEST GRANT
Resolution No. 2005-140 was adopted authorizing the appropriation of $1,281.02 to be allocated to the Santa Maria Police Department under the provisions of the 2005 Bulletproof Vest Grant Program.

Resolution No. 2005-140 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROPRIATING THE 2005 BULLETPROOF VEST PROGRAM GRANT FUNDS.

G. AWARD OF BID
Resolution No. 2005-141 was adopted awarding the bid and approving a contract with V. Lopez, Jr. and Sons General Engineering Contractors for Bid No. 2006/01, Concrete Repair/Replacement – 2006 in the amount of $972,017.00.

Resolution No. 2005-141 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING A CONTRACT WITH V. LOPEZ, JR. AND SONS GENERAL ENGINEERING CONTRACTORS FOR CONCRETE REPAIR/REPLACEMENT – 2006, BID NO. 2006/01.

H. CALL FOR BIDS
Authorization was granted to call for bids on the plans and specifications for North Blosser Road Widening from West Main Street to Taylor Street with advertising subject to receipt of authorization to construct from Caltrans.

I. SHORT RANGE TRANSIT PLAN
Resolution No. 2005-142 was adopted approving the Short Range Transit Plan and directing staff to implement the service changes contained within.

Resolution No. 2005-142 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ADOPTING THE 2005 SANTA MARIA AREA TRANSIT SHORT RANGE TRANSIT PLAN.

J. LIMITED TIME PARKING
Conversion of an existing no stopping zone on Oakley Avenue near Boone Street to a limited time parking zone, Monday through Friday, 8:00 a.m. to 5:00 p.m., was continued for one month.

K. NO STOPPING ZONES
Resolution No. 2005-144 was adopted approving the establishment of no stopping zones on Foxenwood Lane near Wellington Drive.

Resolution No. 2005-144 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ADOPTING NO STOPPING ZONES ON FOXENWOOD LANE PURSUANT TO SECTION 7-5.16 OF THE SANTA MARIA MUNICIPAL CODE.

L. NO PARKING ZONE
Resolution No. 2005-145 was adopted approving the establishment of a no parking zone on Tama Lane from 12:00 a.m. to 6:00 a.m., seven days a week.

Resolution No. 2005-145 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ADOPTING NO PARKING ZONES ON TAMA LANE PURSUANT TO SECTION 7-5.14 OF THE SANTA MARIA MUNICIPAL CODE.

M. ORDINANCE NO. 2005-11
Council conducted the second reading and adopted Ordinance No. 2005-11 adding Section 10-3.204 to Title 10 of the Santa Maria Municipal Code regarding an annual permit for specialty structures such as inflatable bounce houses.

Ordinance No. 2005-11 adopted. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ADDING SECTION 10-3.204 TO TITLE 10 OF THE SANTA MARIA MUNICIPAL CODE.

N. ANNEXING PARCELS
Resolution Nos. 2005-146, 147, 148, and 149 were adopted annexing and assessing nine (9) parcels into the Northwest, Northeast, South Miller Street/South College Drive and Southwest Landscape and Lighting Districts.

Resolution No. 2005-146 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ANNEXING AND AUTHORIZING THE ASSESSMENT OF LANDSCAPE MAINTENANCE FEES TO HOUSER BUILDING IN THE NORTHWEST LANDSCAPE MAINTENANCE DISTRICT.

Resolution No. 2005-147 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ANNEXING AND AUTHORIZING THE ASSESSMENT OF LANDSCAPE MAINTENANCE FEES TO MARIAN MEDICAL URGENT CARE AND LA BREA PLAZA IN THE NORTHEAST LANDSCAPE MAINTENANCE DISTRICT.

Resolution No. 2005-148 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ANNEXING AND AUTHORIZING THE ASSESSMENT OF LANDSCAPE MAINTENANCE FEES TO FBI OFFICE BUILDING, CELEBRATION, AND BETTERAVIA BUSINESS PLAZA IN THE SOUTH MILLER STREET/SOUTH COLLEGE DRIVE LANDSCAPE MAINTENANCE DISTRICT.

Resolution No. 2005-149 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ANNEXING AND AUTHORIZING THE ASSESSMENT OF LANDSCAPE MAINTENANCE FEES TO HEBARD PARCEL MAP, JASON INDUSTRIAL PARK, AND PC MECHANICAL IN THE SOUTHWEST LANDSCAPE MAINTENANCE DISTRICT.

ALL-AMERICA CITY COMMITTEE

Mayor Lavagnino nominated Andrew Maldonado to fill a vacant unexpired term on the All-America City Committee through January 2007.

On motion by Councilmember Orach, seconded by Councilmember Mariscal, and carried unanimously, Andrew Maldonado was appointed to the All-America City Committee for a term ending January 2007.

COPS GRANT

Police Chief Macagni gave the staff report. The passage of AB1913 made State grant funds available to local jurisdictions based on a population formula, with each agency guaranteed to receive no less than $100,000 to provide frontline law enforcement services. The grant is made available to local jurisdictions annually and funds must be expended no later than June 30 of the following fiscal year or be forfeited. There are no matching funds required. Last year the City Council appropriated $125,243 in State COPS funds toward the match of two police officer positions hired under a Federal Universal Hiring Grant. Future funding under the State COPS program have been identified as the source of the match required to make these two officer positions cost-neutral to the City until 2006. In 2006, these two positions will be fully absorbed by the City's general fund.

Mayor Lavagnino opened the public hearing.

With no requests to speak received, Mayor Lavagnino closed the public hearing.

Resolution No. 2005-150 was adopted appropriating COPS Grant funds to the Police Department on motion by Councilmember Orach, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2005-150 adopted. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROPRIATING STATE FUNDS TO THE POLICE DEPARTMENT PURSUANT TO THE CITIZEN'S OPTION FOR PUBLIC SAFETY (COPS) PROGRAM FOR FISCAL YEAR 2005-06.

BUSINESS RETENTION AND ATTRACTION LOAN PROGRAM

Director of Administrative Services Snodgrass gave the staff report. As part of the 2004-2006 budget process, Councilmember Mariscal proposed the creation of a revolving loan fund for business retention and attraction. Implementation of the program was delayed until the adoption of the State budget and the November election results of Proposition 1A. On January 4, 2005, the Council adopted a resolution which authorized staff to create a revolving loan fund and to bring back specific guidelines and criteria for the program. An allocation of $250,000 was to be set aside each quarter over a 12-month period, for a total of $1 million. The revolving loan fund is financed through General Fund proceeds from the sale of surplus water and is to be administered by the Chamber of Commerce. To develop the guidelines, staff consulted with Chamber staff and Councilmember Mariscal. Eligible applicants will include on-going and start-up private-for-profit businesses, corporations, partnerships, sole proprietorships, and cooperatives located in or expanding within the City.

Ernest Armenta stated there was nothing wrong with the City loaning money to a business that could not get a loan through the private sector, but he did not think the

City should be competing with the banks. He expressed concern about using the funds from the sale of surplus water to loan money to businesses and cautioned the Council not to ask the rate payers of Santa Maria for a water rate increase in the future. The revenues from the sale of surplus water should only be used to cover the costs of any future rate increases.

Councilmember Mariscal stated this program was discussed with the local banks and there was substantial support throughout the community from all of the banking members for the program. Every community says they want jobs, but Santa Maria is doing something about it. This is just another tool to try to be as successful as possible. He thanked the City Council for supporting his proposal.

Bob Hatch, Santa Maria Valley Chamber of Commerce, stated these loans would be fully administered through Coastal Business Finance. The loans will not be at risk to the City or anyone else. They will be handled just as any other loan would be handled. The applicants would be fully qualified.

Councilmember Trujillo stated this type of program will create jobs that are needed in Santa Maria.

Councilmember Patino stated she was also in support of the program. The City needs to give more incentives to people to create more jobs.

Resolution No. 2005-151 was adopted approving the guidelines for the new Business Retention and Attraction Loan Program on motion by Councilmember Mariscal, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2005-151 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ESTABLISHING GUIDELINES FOR THE BUSINESS RETENTION AND ATTRACTION LOAN PROGRAM.

SPEED SURVEYS

Director of Public Works Karp gave the staff report. To utilize radar for enforcement of speed limits on roadway segments, the City is required by the California Vehicle Code to identify the prevailing speeds and post speed limits consistent with the prevailing speeds. Studies establishing the prevailing speeds must be performed every five years. The speed limit is established at the 85-percentile speed or within the first five-mile per hour increment below the 85-percentile speed. Speed limits higher than the 85 percentile are not generally considered reasonable and safe, and limits below the 85 percentile do not facilitate the orderly movement of traffic. The segments studied this year fall into two categories: 1) they need to be studied to meet the five-year requirements, and 2) they are roadway sections that have not been studied before. Overall, 25 speed surveys were conducted on different roadway segments throughout the City. One of the 25 roadway segments surveyed is new, Fremont Street between Suey Crossing Road and Main Street. Two roadway segments are recommended for reductions to their current speed limits. Those are Miller Street between Alvin Avenue and Fesler Street reduced to 25 miles per hour, and College Drive between Sunrise Drive and the City limits reduced to 40 miles per hour.

Ernest Armenta requested the City put something on Public Access television to inform the motorists of the reduced speed limits.

Ordinance No. 2005-12 was introduced by title only for first reading and continued to the next meeting for second reading and adoption on motion by Councilmember Patino, seconded by Councilmember Trujillo, and carried on the following vote:

AYES: Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Ordinance No. 2005-12 introduced. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING CHAPTER 7-4, SPEED LIMITS, OF THE SANTA MARIA MUNICIPAL CODE.

INTERMODAL TRANSIT TRANSFER CENTER

City Engineer Sweet gave the staff report. The proposal is to approve a 30-year land lease between the City and La Brea Land Company for a portion of the parcel located at the intersection of Boone and Miller Streets for the construction of the new Santa Maria Intermodal Transit Transfer Center. The current transit transfer center along the north side of East Cook Street is now beyond capacity. The combined number and length of vehicles in the fleet blocks the easterly driveway of the Town Center Mall parking garage during the twice-hourly bus transfer period. When fully developed, the Intermodal Transit Transfer Center will consolidate public transportation into one convenient location that will feature restrooms, indoor seating, staffed information/ticket sales booth, dedicated bus bays and limited short-term parking. Because La Brea Land Company is not willing to sell the property, staff negotiated terms of a 30-year land lease. The site is very appropriate for the Transfer Center due to its relatively central location and large parcel size, with close proximity to the Civic Center, Town Center Mall, and Allan Hancock College. The site has undergone a general plan amendment and rezoning, and cleared all environmental tests. The City recently initiated a traffic study that cited few negative traffic circulation impacts.

Mayor Lavagnino stated the 30-year lease will cost the City $5.7 million to $5.9 million versus the 30-year cost of ownership which is $2.4 million to $4.3 million. The City should pursue purchase of this piece of property, if not outright purchase then at least a lease purchase. This is just not good dollars and cents.

Councilmember Orach stated this is a critical component to the downtown revitalization and transit system, and there is not a lot of economic feasibility to this 30-year lease. The property tax issue is another thing because the taxpayers would be paying the property taxes when they don't need to.

Councilmember Trujillo stated for anything like this that is for a long-term period, the City should buy the land. He said he didn't like eminent domain; but in those instances where it involved the people of Santa Maria to the extent that this does, the Council might have to pursue that option. If you look at the size of the property the City needs, the purchase price might be $1.3 million to $1.6 million. The City is going to build the buildings; and at the end of the 30-year lease, the landowner would get the buildings. If this is the best the City can do on this piece of property, then maybe it should look at other areas.

Councilmember Patino stated there doesn't seem to be any other place in the central part of the City to put the transit transfer center. The option of a Resolution of Necessity is there for the City. There are tax incentives for the sellers. The lease is not acceptable at all. The whole burden is on the City.

Ernest Armenta stated he has always been against eminent domain, taking from little old ladies or private individuals who have been in the City for a long time. But in this case the City should purchase the property even by eminent domain.

Mayor Lavagnino stated he would recommend giving staff direction to go back to the La Brea Land Company and try to renegotiate a lease-option or purchase. If it can't be worked out, there is the possibility of eminent domain; but that would be the last resort.

James Watson suggested the transfer center be in the mall parking lot.

City Engineer Sweet explained that the mall parking lot was considered, but there were a number of issues with that location.

Councilmember Mariscal stated there was a substantial and lengthy process to find a location. The Santa Maria Valley Railroad was founded by Allan Hancock. Allan Hancock was crucial in the development of this valley. He referred to an article in the paper where Mr. Perry from La Brea Land Company said the reason the lease was being brought forward was because the family appreciates the ownership of the property and wanted to keep it in the family. He commented that he believed that if Mr. Hancock were still alive, there would have either been an outright gift of the property to the City or he would have negotiated the sale of the property to the City knowing that it would benefit the citizens of the valley that he loved so dearly. He said he would hope that the message would go back to the La Brea Land Company that the City is strongly interested in owning that property for the benefit of the citizens. In the event that the City is able to reach an agreeable solution, there should be wording that the right of first refusal be offered to the Hancock family if the City ever decides to divest itself of the property.

On motion by Councilmember Mariscal, seconded by Councilmember Patino, and carried unanimously staff was directed to meet with La Brea Land Company and try to renegotiate a lease purchase or purchase of the property.

REPORT BY CITY MANAGER

City Manager Ness reported on items for the October 4, 2005, City Council meeting including a public hearing on public agencies use of the City's fuel station; and on October 18th, staff would be making a presentation on the City's disaster preparedness plan.

Mayor Lavagnino asked that staff ensure there is wide advertisement of that presentation.

ORAL REPORTS OF COUNCILMEMBERS AND OFFICERS

Councilmember Orach talked about the tour made by Assemblyman Sam Blakeslee to raise donations for the Hurricane Katrina victims. There was a collection place on Monday for donations of food and clothing and there was a blood drive. They went on to Lompoc where Hapgood School donated four pickup truck loads of clothing. As of yesterday they had collected 80,000 pounds of new and refurbished clothing. The Red Cross received a check for about $35,000. He thanked the citizens of Santa Maria and northern Santa Barbara County.

Councilmember Patino reported on the account that was opened at Community Bank to raise funds for Katrina victims as well as a fund-raiser that would be held at the Elks Lodge on October 8th.

Councilmember Mariscal announced that this Friday there would be fundraising event for P.L.A.Y., called A Taste of Mexico, which was a wonderful event with food from the local restaurants at the Veterans Hall.

Mayor Lavagnino reported on the Centennial Ball where over 400 people attended. The food was great, and there was dancing afterward.

Councilmember Orach talked about the fireworks display on Monday, September 12th to end the Centennial year celebration.

CLOSED SESSION

The City Council recessed to a Closed Session at 8:26 p.m. for Conference with Legal Counsel regarding existing litigation pursuant to Subsection (a) of Government Code Section 54956.9 to discuss Santa Maria Valley Water Conservation District v. City of Santa Maria, and Carrerras v. City of Santa Maria.

After the Closed Session, the following was announced:

Santa Maria Valley Water Conservation District v. City of Santa Maria – Status report. No reportable action.

Carrerras v. City of Santa Maria – Direction to staff.

ADJOURNMENT
There being no further business to come before the City Council at this time, the meeting was declared adjourned at 8:56 p.m. by order of Mayor Lavagnino.

APPROVED

October 4, 2005
Date

Chief Deputy City Clerk of the City of Santa Maria and ex officio Clerk of the City Council

ATTEST
Chief Deputy City Clerk

Mayor of the City of Santa Maria